

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 3, 2007
POSITION: Neutral

BILL NUMBER: SB 145
AUTHOR: E. Corbett

BILL SUMMARY: Court Facilities

This bill, an urgency measure, would extend the deadline for the transfer of responsibility for court facilities from each county to the Judicial Council, from June 30, 2007, to December 31, 2008. Except as specified, this bill would require the county to pay an amount for each facility that has not transferred by June 30, 2008, in addition to the county facilities payment (CFP), based on the percentage increase identified in the most recent Price Letter.

FISCAL SUMMARY

This bill would result in additional revenue to the Court Facilities Trust Fund. The Administrative Office of the Courts (AOC) indicates that the amount of additional revenue cannot be determined until the CFP for each court facility is calculated by the county and submitted to the AOC. According to the AOC, only 114 transfers have been completed, leaving 337 facilities that must still be transferred.

COMMENTS

This bill would: (1) provide additional time to complete the 337 remaining transfers, and (2) to the extent that some facilities are not transferred to state responsibility by June 30, 2008, it would allow the AOC to obtain additional revenue for the operation, repair, and maintenance of court facilities. This additional revenue would help to reduce future General Fund pressures that the state would face because CFPs have typically been much lower than the actual costs of maintaining transferred facilities.

Existing law does the following:

- Requires the Judicial Council to enter into agreements concerning the transfer of responsibilities for court facilities from counties to the state.
- Provides that transfer of responsibilities for all local court facilities from the counties to the state must occur between July 1, 2004 and June 30, 2007.
- Establishes the Court Facilities Trust Fund to be administered by the Judicial Council for the operation, repair, and maintenance of court facilities.
- Requires a CFP to be negotiated between a county and the state, upon transfer of that respective county's court facilities to the state. The CFP is based on that county's historical expenditures for operation and maintenance of the facilities.
- Provides the method of calculating the CFP but allows the California State Association of Counties, the Judicial Council, and the Director of Finance to agree to alternative methods for calculating the CFP amount.

This bill would do the following:

- Extend the deadline for the transfer of responsibility for court facilities from June 30, 2007 to December 31, 2008.
- Provide that a county would be required to pay an additional amount for each facility for which the county has not submitted a proposed CFP by June 30, 2008. The additional amount would be

Analyst/Principal (0212) J. Carosone	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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As an urgency measure, this bill would take effect immediately.

		SO	(Fiscal Impact by Fiscal Year)						
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP							Fund
Type	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
1300/Rev-Loc Agnc	RV	No		-----	See Fiscal Summary	-----			3066
<u>Fund Code</u>	<u>Title</u>								
3066	Court Facilities Trust Fund								